

Magistrate Judge Mary Alice Theiler

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

MARC CAGEY OREIRO,

Defendant.

CASE NO. MJ25-332

COMPLAINT for VIOLATION

Title 18, U.S.C. § 113(a)(8), and 1153

BEFORE the Honorable Mary Alice Theiler United States Magistrate Judge, U.S.
Courthouse, Seattle, Washington,

I, Special Agent Natalie Leavitt, being duly sworn states:

COUNT 1
(Assault by Strangulation)

On or about May 23, 2025, in Whatcom County, within the exterior boundaries of
the Lummi Indian Reservation, Indian Country, as defined by Title 18, United States
Code, Section 1151, and within the Western District of Washington, MARC CAGEY
OREIRO, an Indian, did assault Jane Doe, an intimate and dating partner, by strangling
her, and attempting to strangle her.

All in violation of Title 18, United States Code, Sections 113(a)(8) and 1153.

1 The undersigned complainant being duly sworn states:

2 **AFFIANT BACKGROUND**

3 1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and
4 have been so employed since 2022. I am currently assigned to the Bellingham Resident
5 Agency of the Seattle Division and the FBI's Northwestern Washington Safe Trails Task
6 Force ("NWSTTF"). My primary responsibilities as a Special Agent include
7 investigations involving violent crimes and other federal crimes on the Indian
8 reservations in Northwest Washington. As a Special Agent for the FBI, I have
9 participated in numerous investigations including, but not limited to assault, theft and
10 embezzlement, sexual abuse, and various other criminal violations. During these
11 investigations, I have executed and assisted in the execution of both search and arrest
12 warrants. Prior to becoming a Special Agent, I spent over three years in the accounting
13 industry working as an accountant in the financial reporting department for a private
14 company. I am also a licensed Certified Public Accountant.

15 2. The facts set forth in this Complaint are based on my own personal
16 knowledge, knowledge obtained from other individuals during my participation in this
17 investigation, including other law enforcement officers, review of documents and records
18 related to this investigation, communications with others who have personal knowledge
19 of the events and circumstances described herein, and information gained through my
20 training and experience.

21 3. Because this Complaint is submitted for the limited purpose of establishing
22 probable cause, it does not set forth every fact that I or others have learned during the
23 investigation.

24 4. This Complaint is being presented electronically pursuant to Federal
25 Criminal Procedure Rule 4.1.

SUMMARY OF PROBABLE CAUSE

5. On May 23, 2025, an adult female, referred to herein as Jane Doe (“Doe”) to protect her privacy, was violently assaulted and strangled by MARC OREIRO (“OREIRO”), who was previously her romantic partner. Photos taken at the time showed bruising on her forehead, neck, and arms. Another individual who lived at the residence XX74 Robertson Rd, referred herein as SM, called 911 after hearing Doe scream. Doe had instructed him that if he ever heard her scream to call the police.

6. On the day in question, Doe walked into her bedroom and found OREIRO was standing inside by the door. He pushed her onto the bed on her back and questioned her about where she had been the night before. OREIRO then got on top of Doe and straddled her on the bed and strangled her repeatedly with his hands and forearm, causing Doe to have difficulty breathing.

7. While pinning her to the bed, OREIRO asked Doe questions, including whether she was seeing anyone else. OREIRO became increasingly angry and told Doe, “if I can’t have you, no one can”. OREIRO continued to say that she isn’t going anywhere and threatened to kill her and kill the person she was talking to. Doe believed the threats.

8. OREIRO hit her multiple times with a closed fist. Doe lost track of how many times he hit her. OREIRO hit Doe mostly on the head, but also on her back, stomach, side, and ear. OREIRO also struck Doe in the ribs with his knee and knelt on her chest. Doe did not fight back because the more she fought, the more OREIRO hurt her.

9. OREIRO eventually pushed Doe from the bed to a bench at the foot of the bed, and then to the floor. OREIRO took off Doe’s pants, slid his shorts down and attempted to penetrate Doe’s vagina with his penis. Doe told him to stop. Doe reported that OREIRO had difficulty and was unable to completely penetrate her with his penis. He then penetrated her vagina with his fingers but stopped when he heard police

1 knocking on the door. OREIRO told Doe to hide in the closet and wanted her to retreat to
2 the attic.

3 10. Lummi Nation Police Department (LNPD) responded to the scene and
4 repeatedly announced their presence through the open front door, but there was no
5 response from within the residence. LNPD entered the residence based upon exigency
6 and found OREIRO in the master bedroom. OREIRO refused to comply with police
7 commands and actively resisted arrest while screaming “she’s not here.” One of the
8 LNPD officers sustained injuries during the altercation. These included scratches on his
9 hands and arms.

10 11. Officers found Doe crying in the master bedroom closet. She had obvious
11 injuries to her face and neck and medical aid responded to the scene. EMS examined Doe
12 at her residence, and she disclosed that she had difficulty swallowing. Doe was
13 transported to St. Joseph’s Hospital where she was treated for her injuries. According to
14 the medical records, Doe had numerous visible injuries. Her forehead was tender,
15 swollen, and bruised. She had bruising on both of her ears and on both sides of her neck.
16 The nurse also noted a linear abrasion on the front of her neck. Doe’s upper left arm was
17 also swollen and tender.

18 12. Doe spoke with the forensic nurse about the assault and explained that
19 OREIRO is her ex-boyfriend who lives in her garage. OREIRO approached her that
20 afternoon because he was upset that she didn’t come home the previous night. He kept
21 asking her questions about who she was seeing and wouldn’t let her leave or go to work.
22 OREIRO started to “choke” her in addition to kneeing her a few times in her ribs and
23 side. He punched her “so many times” in her head and ear and her ear was still ringing.
24 OREIRO used both his hands and arm when choking her. He told her repeatedly that he
25 was going to kill her. At one point, he put a blanket on her face and tried to suffocate her.
26 OREIRO also tried to have sex with her, but he had a problem “getting it up”. OREIRO
27

1 tried to penetrate her with his finger, and then the police arrived. Her roommate called the
2 cops because she had previously told him to do so if he ever heard her screaming.

3 13. In a post-Miranda interview conducted by LNPd Officer Vadakin,
4 OREIRO explained that he and Doe had a disagreement about life. OREIRO told Doe
5 that she was not living up to responsibilities. She said that he wasn't a good man. When
6 asked if this statement made him angry, he stated that he responded in an immature
7 manner but would not elaborate. OREIRO said nothing physical had happened.

8 14. LNPd Officer Vadakin also interviewed the 911 caller, who explained that
9 he had been awakened to the sound of Doe screaming. Doe had previously told SM that if
10 he ever heard her screaming that he should call 911, which he did. When SM walked past
11 Doe's bedroom, he heard her say "stop hurting me". He believed that he heard OREIRO
12 say something to the effect of, "you're not going to work anymore, you're going to stay
13 here and think about what you did". SM also heard OREIRO ask Doe if she was "with
14 some other guy the other night". SM then heard a loud slap noise followed by Doe
15 saying, "stop hitting me". The police arrived shortly thereafter.

16 15. LNPd subsequently arrested OREIRO, on charges of Assault and Battery
17 2nd (DV), Aggravated Harassment (DV), Intimidating or Interfering with a Witness,
18 Unlawful Imprisonment – Aggravated (DV), Obstructing a Law Enforcement Officer,
19 Resisting Lawful Arrest, and Rape in the First Degree (DV) under the Lummi Code of
20 Laws.

21 16. On June 2, 2025, Doe a follow up interview was conducted by me and
22 LNPd Detective Alex Jones. Doe explained that she was afraid that OREIRO would get
23 bailed out of jail. She stated that several people have been coming to the house and
24 rummaging around the garage where OREIRO used to live. Doe also believed that
25 someone was inside her room because the lock to her closet was damaged. Doe added
26 that she had exterior Ring cameras that faced the front and back of her residence. Doe
27 also explained that she had internal Ring cameras in her bedroom and living room. She

1 confirmed that she was the only one who had access to the footage. Doe reported that she
2 has reviewed the video footage of her assault and stated that part of the assault was
3 captured on video, along with audio. Doe also confirmed that OREIRO's phone that he
4 left in her room during the assault was still there. Investigators are working to obtain the
5 video and audio recordings of this incident.

6 17. Doe showed investigators the photos that she took of her injuries on May
7 31, 2025. Bruising and red marks were still present on her neck and chest. Doe also
8 allowed me to take additional photographs of the front and sides of her face, neck, chin,
9 and sides. Doe pointed out a scar on her chest where OREIRO had previously placed a lit
10 cigarette. Doe was visibly tender when lifting her shirt for pictures of her side. She
11 pointed to the source of pain, and I observed red marks.

12 18. OREIRO has a history of assaulting Doe. In 2019, OREIRO was charged in
13 tribal court with Assault and Battery (DV) in the Second Degree and Unlawful
14 Imprisonment (DV). In that case, OREIRO grabbed Doe around the throat with both
15 hands, slammed her into the wall, and threw her on the bed. He proceeded to strangle her.
16 When Doe tried to leave, he grabbed her by the neck and took her car keys. This incident
17 was also investigated by the FBI. However, the tribal court charges were subsequently
18 dismissed.

19 19. In 2023, OREIRO was charged in tribal court with Assault and Battery in
20 the First Degree, and Aggravated Unlawful Imprisonment. In that case, OREIRO hit and
21 strangled Doe by placing her in a headlock and preventing her from leaving. On
22 November 11, 2023, OREIRO was convicted of Assault and Battery in the Third Degree
23 (DV) and Malicious Mischief for assaulting Doe. This resulted in a post-conviction NCO
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1 protecting Doe until December 3, 2025. At the time of the incident on May 23, 2025,
2 OREIRO was prohibited from coming within 100 feet of Doe's person and residence.¹

3 20. I have confirmed that OREIRO is an Indian. He has an Indian blood
4 quantum of 1/4th and is an enrolled member of the Lummi Nation, a federally recognized
5 Indian tribe. I have also confirmed that the residence where the alleged assault occurred
6 is located on tribal trust land within the exterior boundaries of the Lummi Indian
7 Reservation. Based on my training and experience, I know that injuries, including
8 abrasions, bruises, and marks to the neck, neck and throat pain, pain while swallowing,
9 and difficulty breathing are symptoms of strangulation and are consistent with
10 strangulation having occurred.

11 21. This case remains under active investigation and additional charges may be
12 forthcoming.

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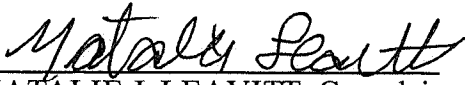
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26 ¹ The victim's date of birth listed in the post-conviction no-contact order is incorrect. However, the victim's highly
27 unique name is plainly listed within the order. OREIRO was on notice that he was prohibited from having contact
with Doe.

CONCLUSION

22. Based on the above facts, I respectfully submit that there is probable cause to believe that MARC OREIRO committed the offense set forth above in this Complaint.


NATALIE J. LEAVITT, Complainant
Special Agent, Federal Bureau of
Investigation

Based on the Complaint and Affidavit sworn to before me telephonically, and submitted electronically, the Court hereby finds that there is probable cause to believe the defendant committed the offense set forth in the Complaint.

DATED this 3rd day of June 2025.


MARY ALICE THEILER
United States Magistrate Judge